

## **REMARKS**

Please reconsider the present application in view of the above amendments and following remarks. Applicant thanks the Examiner for carefully considering the present application.

### **I. Disposition of the Claims**

Claims 1-30 are currently pending. By way of this reply, claims 1, 18, and 24 have been amended, and new claims 31 and 32 have been added. No new matter has been added.

### **II. Rejection(s) under 35 U.S.C. § 102**

Claims 1-8 and 12-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,601,061 (“Holt”). For the reasons set forth below, these rejections are respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987); MPEP § 2131. Independent claim 1 has been amended to clarify that the local index has “a data store about content local to at least one of a user initiating [a] search query and a client device from which the search query is initiated.”<sup>1</sup> Amended independent claims 18 and 24 include similar language. Holt fails to disclose at least these limitations.

Figure 2 of Holt shows search domains for a user’s search query. As disclosed in Holt:

. . . The upper left circle **202** corresponds to data previously known to a search

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<sup>1</sup> See paragraphs [0035] and [0036] of the Specification for examples of content associated with a user.

server by way of prior data acquisition, web crawling, etc. . . . The upper right circle **204** corresponds to acquirable knowledge from performing meta-searches, e.g., searches by way of other search engines. . . . Therefore, the combination of circles **202**, **204** comprises knowledge obtained from *public search resources*.

The lower right circle **206** corresponds to acquirable knowledge from piggy-backing onto special purpose search resources provided by individual web sites, such as those search engines provided by universities, government web sites, or the like. In the piggy-back configuration, the invention may, for example, visit a private or special purpose local search page for the Massachusetts Institute of Technology, execute a search thereon, and provide search results to the user (see FIGS. **3**, **4**), which can be combined with knowledge **202**, **204** obtained from public search resources.

The lower left circle **208** corresponds to search results stored by the search server **102** and *made publicly available* by the users generating the results. These publicly accessible results can be included when performing the user's search, and contribute to the current user's search.

See Holt, col. 4, ll. 32-60 (emphasis added).

As clear from the portion of Holt cited above, each of the search domains disclosed in Holt consists of information that is globally available and not about the particular user initiating a search on these domains. Particularly, domains **202**, **204** include "knowledge obtained from public search resources".

As to domain **206**, the special purpose search resources provided by individual web sites are publicly accessible. For example, the search engines provided by universities, government web sites, and the like are publicly accessible. Although Holt discloses a search technique that can focus on these search engines in a particular search, there is no disclosure in Holt that such special purpose search resources are somehow associated with the particular users or devices initiating searches on these resources. In other words, these special purpose search resources are globally available, and in some cases, a user's search engine can specially exercise these resources – this does not mean, however, that these resources belong to or are about that user or about a client device from which the search query is initiated.

Further, in regard to domain **208**, Holt discloses that domain **208** includes search results

“made publicly available” by the users generating the results. There is no disclosure in Holt that a user then executing a search on domain **208** searches content about that user (or about a device from which the search is initiated) stored in the domain **208**.

Thus, none of the search domains disclosed in Holt includes a local index that has a data store about content local to a user initiating the search query or local to a client device from which the search query is initiated. Accordingly, Holt fails at least to disclose executing a search query on a local index “having a data store about content local to at least one of a user initiating the search query and a client device from which the search query is initiated” as required by the claimed invention.

In view of the above, Holt fails to disclose each and every limitation recited in amended independent claims 1, 18, and 24. Thus, amended independent claims 1, 18, and 24 are patentable over Holt. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of the § 102 rejections is respectfully requested.

### **III. Rejection(s) under 35 U.S.C. § 103**

Claims 9-11 and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Holt in view of U.S. Patent No. 6,611,862 (“Reisman”). For the reasons set forth below, these rejections are respectfully traversed.

Like Holt, Reisman fails to disclose each and every limitation of amended independent claims 1 and 24. Particularly, Reisman fails to supply that which Holt lacks. Reisman, which purportedly “solves the problem of enabling simply, economical and prompt mass distribution of electronic information products” (*see* Reisman, col. 5, ll. 11-13), is silent as to executing a search query on a local index “having a data store about content local to at least one of a user initiating

the search query and a client device from which the search query is initiated” as required by the claimed invention.

In view of the above, Holt and Reisman, whether considered singly or in combination, fail to disclose each and every limitation recited in amended independent claims 1 and 24. Thus, amended independent claims 1 and 24 are patentable over Holt and Reisman. Dependent claims 9-11 and 28-30 are allowable for at least the same reasons. Accordingly, withdrawal of the § 103 rejections is respectfully requested.

#### **IV. Conclusion**

The Examiner is encouraged to contact the undersigned attorney if it would be beneficial to further advance the prosecution of the present application.

Please apply any charges not covered, or any credits, to Deposit Account 19-2555 (Reference No. 24207-10092).

Respectfully Submitted,  
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